

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Berens et al.
 Appln. No.: 09 | 852,053
 Series Code ↑ | Serial No. ↑

Filed: May 10, 2001
 Hon. Commissioner of Patents
 Washington, D.C. 20231

RECEIVED
 MAR 25 2003
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 OVER 1600/2900
 MAR 17 2003
 PATENT & TRADEMARK OFFICE

Group Art Unit 1652
 Examiner: Fronda, C.
 Atty. Dkt. P 0280248 | 000091 BT
 M# Client Ref

Appln. Title: CORYNEBACTERIUM GLUTAMICUM
 STRAIN WITH ENHANCED
 SECRETION ACTIVITY

Sir:

REPLY/AMENDMENT/LETTER

Date: March 17, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim	For B & C See Required Separate Paper (Pat-256)
A. <input checked="" type="checkbox"/> NOT made	
B. <input type="checkbox"/> Withdrawn	
C. <input type="checkbox"/> made herewith	
D. <input type="checkbox"/> made previously	

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	65	**minus 20	45	x \$18/\$9 =	+\$810	103/203
3. Independent Claims	4	***minus 3	1	x \$84/\$42 =	+\$84	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)			add	+ \$280/\$140 =	+\$0	104/204
5. Original due Date: March 17, 2003	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$410/\$205 = \$930/\$465 = \$1,450/\$725 = \$1,970/\$985 =	+ \$0			115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0				
8.				Extension Fee	+\$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee				+ \$110/\$55	+\$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request	add	+ \$180	+ \$0	+ \$180	+\$0	126 126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$750/370	+ \$0			146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$750/375 ea	+ \$0			149/249
13. Request for Continued Examination (RCE)		+ \$750/375	+ \$0			1179/1279
14. Petition fee for			+ \$0			
15.			TOTAL FEE =		\$894	
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".						
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.						
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.						

Our Deposit Account No. 03-3975

(Our Order No. 021123

0280248

C# _____

M# _____

PLEASE CHARGE
OUR DEP. ACCT

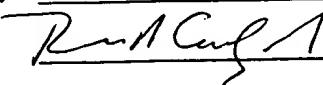
CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
 Intellectual Property Group
 By Atty: Thomas A. Cawley, Jr.

Reg. No. 40944

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

146
J.P.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

BERENS et al.

Appln. No.: 09/852,053

Filed: May 10, 2001

Title: CORYNEBACTERIUM GLUTAMICUM STRAIN WITH ENHANCED SECRETION ACTIVITY



Group Art Unit: 1652

Examiner: C. FRONDA

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TECH CENTER 1600/2900

March 17, 2003

* * * * *

AMENDMENT PURSUANT TO 37 C.F.R. § 1.111

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

This is in response to the official action dated December 17, 2002, wherein the claims were variously rejected under 35 U.S.C. §112, first and second paragraphs. The applicants traverse in view of the following amendment and remarks.

I. AMENDMENT

Please amend the application as follows.

IN THE CLAIMS

Please cancel claims 1-8, without prejudice.

Please add the following new claims 20-39.

20. (New) A Corynebacterium glutamicum bacterium comprising at least one isolated Corynebacterium glutamicum polynucleotide selected from the group consisting of:

a) an isolated polynucleotide encoding a polypeptide consisting of an amino acid sequence that is at least 90% identical to the amino acid sequence of SEQ ID NO:3, wherein said polypeptide has at least the same activity in promoting excretion of an

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02 FC:1202

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